

**SUPREME COURT MINUTES
THURSDAY, OCTOBER 21, 2010
SAN FRANCISCO, CALIFORNIA**

S079179**PEOPLE v. BACON (ROBERT
ALLEN)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Kennard, J.

-- joined by George, C. J., Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S175307

D054754 Fourth Appellate District, Div. 1

**PEOPLE v. HAJJAJ (FIRME
HASSAN)**

Order filed

The order filed on September 30, 2010 is hereby amended to read in its entirety:

The request for judicial notice filed on May 12, 2010, by amicus curiae, the Office of the Public Defender of Riverside County, is denied.

S178914

B215215 Second Appellate District, Div. 7

**CASSEL (MICHAEL) v. S.C.
(WASSERMAN COMDEN
CASSELMAN & PEARSON
LLP.)**

Order filed

The request of petitioner to allocate to amici curiae John Porter et al. 10 minutes of petitioner's 30-minute allotted time for oral argument is granted.

S185544

C060413 Third Appellate District

**RALPHS GROCERY
COMPANY v. UNITED FOOD
AND COMMERCIAL
WORKERS UNION LOCAL 8**

The joint application filed on October 19, 2010, by appellant and respondent requesting an extension of time to file the opening and answer briefs on the merits is hereby granted as follows: Respondent's opening brief on the merits is due on or before December 8, 2010. Appellant's answer brief on the merits is due on or before January 31, 2011.

S187203

B221980 Second Appellate District, Div. 1

**BROWN (MICHAEL
DONNELL) v. S.C. (PEOPLE)**

Order filed

The time for granting review on the court's own motion is hereby extended to December 29, 2010. (Cal. Rules of Court, rule 8.512(c).)

S187295**SHAW (SHAWN) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S185337**BERGER ON DISCIPLINE**

Recommended discipline imposed

The court orders that JEFFREY ALAN BERGER, State Bar Number 104227, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. JEFFREY ALAN BERGER is suspended from the practice of law for the first 60 days of probation;
2. JEFFREY ALAN BERGER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 15, 2010; and
3. At the expiration of the period of probation, if JEFFREY ALAN BERGER has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JEFFREY ALAN BERGER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If JEFFREY ALAN BERGER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately. JEFFREY ALAN BERGER must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

S185341**CLOUGH ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM ARTHUR CLOUGH, State Bar Number 114319, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. WILLIAM ARTHUR CLOUGH is suspended from the practice of law for the first 90 days of probation;
2. WILLIAM ARTHUR CLOUGH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 23, 2010; and
3. At the expiration of the period of probation, if WILLIAM ARTHUR CLOUGH has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

WILLIAM ARTHUR CLOUGH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

WILLIAM ARTHUR CLOUGH must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. WILLIAM ARTHUR CLOUGH must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and that such payment be enforceable as provided for under Business and Professions Code section 6140.5.

S185343**MARTINEZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that KELLEY KATHLEEN STIMPEL MARTINEZ, State Bar Number 161409, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. KELLEY KATHLEEN STIMPEL MARTINEZ must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 18, 2010; and
2. At the expiration of the period of probation, if KELLEY KATHLEEN STIMPEL MARTINEZ has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

KELLEY KATHLEEN STIMPEL MARTINEZ must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and

provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. KELLEY KATHLEEN STIMPEL MARTINEZ must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

S185344**SALICA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM JOHN SALICA, State Bar Number 92896, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM JOHN SALICA must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on June 1, 2010. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

WILLIAM JOHN SALICA must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S185347**WAHL ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM RANDOLPH WAHL, State Bar Number 182542, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. WILLIAM RANDOLPH WAHL is suspended from the practice of law for a minimum of six months, and he will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. WILLIAM RANDOLPH WAHL must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

WILLIAM RANDOLPH WAHL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

WILLIAM RANDOLPH WAHL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. WILLIAM RANDOLPH WAHL must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

S185351**MAZZA ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEVEN LANCE MAZZA, State Bar Number 101076, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. STEVEN LANCE MAZZA is suspended from the practice of law for the first six months of probation;
2. STEVEN LANCE MAZZA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 23, 2010; and
3. At the expiration of the period of probation, if STEVEN LANCE MAZZA has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

STEVEN LANCE MAZZA must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. STEVEN LANCE MAZZA must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

S185373**BJERREGAARD ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KEVIN PAUL BJERREGAARD, State Bar Number 127949, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

KEVIN PAUL BJERREGAARD must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on May 24, 2010. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

KEVIN PAUL BJERREGAARD must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

